

State of South Dakota

EIGHTY-SEVENTH SESSION LEGISLATIVE ASSEMBLY, 2012

400T0439

SENATE BILL NO. 22

Introduced by: The Committee on Transportation at the request of the Office of School and Public Lands

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the vacation or the
2 change of location of county and township highways on school and public lands.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 31-3-6.1 be amended to read as follows:

5 31-3-6.1. Notwithstanding any other provisions of this chapter, no county or township may
6 vacate a highway which provides access to public lands. ~~For the purposes of this section, public~~
7 ~~land does not include any school and public lands.~~

8 Section 2. That § 31-18-3 be amended to read as follows:

9 31-18-3. The board of county commissioners may vacate or change the location of any
10 section-line highway within its county and the board of supervisors of an organized township
11 may vacate or change the location of any section-line highway within its township, as provided
12 in this title, but neither board may vacate or change any portion of the state trunk highway
13 system or any highway constructed by state or federal aid or any highway within the limits of
14 a municipal corporation, nor may a board of supervisors vacate or change any portion of the
15 county highway system. In addition, no board of county commissioners or board of supervisors



1 may vacate a section-line highway which provides access to public lands. This section does not
2 prohibit the closing of a section-line highway to vehicular traffic if the highway is unsafe for
3 vehicular traffic. ~~For the purposes of this section, public land does not include any school and~~
4 ~~public lands.~~